

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

KEVIN J. SMITH,

Plaintiff,

v.

Case No. 3:17-cv-00495-JPG-RJD

VENERIO SANTOS and LISA KREBS,

Defendants.

MEMORANDUM AND ORDER

J. PHIL GILBERT, DISTRICT JUDGE

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 40) of Magistrate Judge Reona J. Daly with regard to defendant Lisa Krebs’s motion to dismiss (Doc. 35) and defendant Venerio Santos’s motion to join defendant Krebs’s motion to dismiss (Doc. 39). The Court may accept, reject, or modify—in whole or in part—the findings or recommendations of the magistrate judge in a report and recommendation. FED. R. CIV. P. 72(b)(3). The Court must review *de novo* the portions of the report to which objections are made. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

Here, the Court has received no objection to the Report. The Court has reviewed the entire file and finds that the Report is not clearly erroneous. Accordingly, the Court hereby:

- **ADOPTS** the Report in its entirety (Doc. 40);
- **GRANTS** defendant Lisa Krebs’s motion to dismiss (Doc. 35);
- **GRANTS** defendant Venerio Santos’s motion to join defendant Krebs’s motion to dismiss (Doc. 39);

- **FINDS AS MOOT** defendant Lisa Krebs's motion to stay discovery (Doc. 38);
- **DISMISSES** this case **WITH PREJUDICE**;
- **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.

DATED: MARCH 2, 2018

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE